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*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

J. EZRA MERKIN, GABRIEL CAPITAL, L.P.,
ARIEL FUND LTD., ASCOT PARTNERS, L.P.,
ASCOT FUND LTD., GABRIEL CAPITAL
CORPORATION,

Defendants.

Adv. Pro. No. 09-01182 (SMB)

**DECLARATION OF LAN HOANG IN SUPPORT OF TRUSTEE'S
MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTION TO
REARGUE THE COURT'S JANUARY 22, 2018 ORDER EXCLUDING THE
OPINIONS AND TESTIMONY OF JEFFREY M. WEINGARTEN**

I, Lan Hoang, declare the following:

1. I am a Partner with the law firm of Baker & Hostetler LLP, counsel to Irving H. Picard, as trustee (“Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the chapter 7 estate of Bernard L. Madoff (“Madoff”).

2. I submit this declaration in support of the Trustee’s Memorandum of Law in Opposition to Defendants’ Motion to Reargue the Court’s January 22, 2018 Order Excluding the Opinions and Testimony of Jeffrey M. Weingarten.

3. True and correct copies of the following documents are attached:

Exhibit 1: Excerpts from the hearing transcript on the Trustee’s and Defendants’ motions *in limine*, dated August 9, 2017, including the Trustee’s Motion to Exclude the Opinions and Testimony of Jeffrey M. Weingarten.

Exhibit 2: Excerpts from the deposition transcript of Jeffrey M. Weingarten dated July 15, 2015.

I declare under penalty of perjury that the foregoing is true and correct pursuant to 28 U.S.C § 1746 (2).

Dated: March 1, 2018
New York, New York

By: /s/ Lan Hoang
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